

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 977 Session of 2019

INTRODUCED BY BROWNE, KILLION, YAW, MENSCH, AUMENT, BREWSTER, FONTANA, K. WARD, SANTARSIERO, COSTA, COLLETT, FARNESE, TARTAGLIONE, HUGHES, KEARNEY, YUDICHAK, SABATINA, L. WILLIAMS, STEFANO, BARTOLOTTA AND HAYWOOD, DECEMBER 18, 2019

REFERRED TO LAW AND JUSTICE, DECEMBER 18, 2019

AN ACT

1 Amending the act of November 24, 2004 (P.L.1270, No.153),
 2 entitled "An act providing for the Pennsylvania Amber Alert
 3 System; authorizing and directing the Pennsylvania State
 4 Police to establish and maintain the Pennsylvania Amber Alert
 5 System; assessing costs; and providing for immunity and
 6 penalties," establishing the Pennsylvania Silver Alert
 7 System; and further providing for immunity.

8 The General Assembly of the Commonwealth of Pennsylvania
 9 hereby enacts as follows:

10 Section 1. The title and sections 1 and 5(b) of the act of
 11 November 24, 2004 (P.L.1270, No.153), referred to as the
 12 Pennsylvania Amber Alert System Law, are amended to read:

13 AN ACT

14 Providing for the Pennsylvania Amber Alert System, the Missing
 15 Endangered Person Advisory System and the Pennsylvania Silver
 16 Alert System; authorizing and directing the Pennsylvania
 17 State Police to establish and maintain the [Pennsylvania
 18 Amber Alert System] alert systems; assessing costs; and
 19 providing for immunity and penalties.

1 Section 1. Pennsylvania Amber Alert System [and], Missing
2 Endangered Person Advisory System (MEPAS) and
3 Pennsylvania Silver Alert System established.

4 (a) Pennsylvania Amber Alert System.--The Pennsylvania State
5 Police shall establish and maintain the Pennsylvania Amber Alert
6 System to assist in the recovery of abducted children through
7 prompt notification to the general public, appropriate law
8 enforcement authorities and other public agencies.

9 (b) Missing Endangered Person Advisory System (MEPAS).--The
10 Pennsylvania State Police shall establish and maintain the
11 Missing Endangered Person Advisory System to assist in the
12 recovery of missing persons who are at special risk of harm or
13 injury, through prompt notification to the general public,
14 appropriate law enforcement authorities and other agencies.

15 (c) Pennsylvania Silver Alert System.--

16 (1) The Pennsylvania State Police shall establish and
17 maintain the Pennsylvania Silver Alert System to notify the
18 public of a missing person who is believed to be suffering
19 from Alzheimer's disease, dementia or other cognitive
20 impairment, regardless of age and:

21 (i) is operating a known motor vehicle;

22 (ii) is entered into the National Crime Information
23 Center (NCIC) as a missing person; and

24 (iii) is believed to be in danger of death or
25 serious bodily injury. The law enforcement agency
26 requesting activation must be able to substantiate or
27 specify what causes this belief.

28 (2) The Pennsylvania Silver Alert System shall be
29 operated by the Pennsylvania State Police. Activation may be
30 requested by a law enforcement agency. The notification shall

1 include a description of the person and other information as
2 deemed appropriate.

3 Section 5. Immunity.

4 * * *

5 (b) Good Samaritan immunity.--Any person who provides,
6 obtains or attempts to provide or obtain assistance for a child
7 who is the subject of a Pennsylvania Amber Alert System notice
8 [or], a person who is the subject of a Missing Endangered Person
9 Advisory or a person who is the subject of a Pennsylvania Silver
10 Alert System notice shall be immune from civil liability for
11 acts or omissions in providing or obtaining or attempting to
12 provide or obtain assistance except for acts or omissions
13 intended to cause harm and for which the law does not recognize
14 justification or that constitute gross negligence or willful,
15 wanton or reckless conduct.

16 Section 2. This act shall take effect immediately.